1 2 3	William E. Kennedy (CSB #158214) LAW OFFICE OF WILLIAM E. KENNEDY 2797 Park Avenue, Suite 201 Santa Clara, California 95050 (408) 241, 1000 phone		
4	(408) 241-1000 phone (408) 241-1500 fax willkennedy@pacbell.net		
5	Chris Brancart (CSB #128475) BRANCART & BRANCART		
6 7	P. O. Box 686 Pescadero, CA 94060 (650) 879-0141 phone		
8	(650) 879-1103 fax cbrancart@brancart.com		
9	Oakland, CA 94604-0091 (510) 271-8443 phone		
10 11			
12	nzinner@heraca.org		
13	Attorneys for Plaintiff MERCEDES HERRERA and others similarly situated		
14	UNITED STATES DISTRICT COURT		
15	NORTHERN DISTRICT OF CALIFORNIA		
16	SAN FRANCISCO DIVISION		
17) Case No.: C09-02843 TEH	
18	MERCEDES HERRERA)) DECLARATION OF WILLIAM E.	
19	Plaintiff,	KENNEDY IN REPLY TO OPPOSITION TO MOTION FOR	
20	VS.) CLASS CERTIFICATION	
21	LCS FINANCIAL SERVICES CORPORATION and OCWEN LOAN SERVICING LLC,	Hearing Date: May 2, 2011 Time: 10:00 a.m.	
22	,	Courtroom: 12 Judge: Hon. Thelton E. Henderson	
23	Defendants.))	
24)	
25	I, William E. Kennedy, declare:		
26	1. I am admitted to practice before this Court and in the courts of the State of		
27	California and I am one of the attorneys for plaintiff Mercedes Herrera and the putative class in		
28	DECLARATION OF WILLIAM E. KENNEDY IN REPLY TO OPPOSITION TO MOTION FOR CLASS CERTIFICATION	O C09-02843 TEH	

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1	this matter. I file this declaration in support of Plaintiff Mercedes Herrera's Motion for Class	
2	Certification. I have personal knowledge of the matters set forth herein, and if called to testify,	
3	would and could competently testify to them.	
4	2. Attached as Exhibit A is true and correct copies of a letter I received from	
5	Elizabeth McKeen on or about May 21, 2010.	
6	3. Attached as Exhibit B is a true and correct copy of a Sitex report which I obtained	
7	online at http://www.sitexdata.com with respect to Ms. Herrera's foreclosed property.	
8	4. Attached as Exhibit C is a true and correct copy of the a document produced by	
9	Ocwen Loan Servicing LLC during this litigation bate stamped as OLS-Herrera 00011.	
10	5. Attached as Exhibit D is a true and correct copy of excerpts of Mercedes	
11	Herrera's deposition transcript.	
12	I declare under penalty of perjury under the laws of the State of California that the	
13	foregoing is true and correct. Executed in Santa Clara, California.	
14		
15	Date: April 13, 2011 William E. Kennedy	
16	Thinkin 2. Remiee	
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PROOF OF SERVICE 1 2 I am employed in the County of Santa Clara, State of California. I am over the age of 18 and am not a party to the within action. My business address is 2797 Park Avenue, Suite 201, 3 Santa Clara, CA 95050. 4 On the date shown below, I served the foregoing document(s) described as: 5 DECLARATION OF WILLIAM E. KENNEDY IN REPLY TO OPPOSITION TO MOTION FOR CLASS CERTIFICATION 6 7 on the following parties in the manner indicated below: Attorney for LCS Financial Services: Attorney for Ocwen Loan Servicing LLC 8 Ms. Kimberly E. Lewellen Elizabeth Lemond McKeen Ellis, Coleman, Poirier, LaVoie & Steinheimer O'Melveny & Myers, LLC 610 Newport Center Drive, 17th Floor 555 University Avenue, Suite 200 East Sacramento, ČA 95825 Newport Beach, CA 92660 10 fax: (916) 283-8821 fax: (949) 823-6994 emckeen@omn.com klewellen@ecplslaw.com 11 Noah Zinner Chris Brancart Housing and Economic Rights Advocates 12 Brancart & Brancart P.O. Box 29435 P.O. Box 686 Oakland, CA 94604 Pescadero, CA 94060 13 fax(650) 879-1103 fax: (510) 868-4521 nzinner@heraca.org cbrancart@brancart.com 14 15 [X](BY ELECTRONIC SERVICE) The above-described document(s) will be delivered electronically through the Court's ECF/PACER electronic filing 16 system. 17 I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on April 13, 2011 at Santa Clara, California. 18 William E. Kennedy 19 20 21 22 23 24 25 26 27 28 DECLARATION OF WILLIAM E. KENNEDY IN REPLY TO